

Order

Michigan Supreme Court
Lansing, Michigan

November 9, 2005

Clifford W. Taylor,
Chief Justice

128769

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

EDWARD MORGAN,
Plaintiff-Appellee,

v

SC: 128769
COA: 253789
Kalamazoo CC: D03-000201-NO

JAMES LAROY and LUANN LAROY,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the April 14, 2005 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REINSTATE the judgment of the Kalamazoo Circuit Court, for the reasons stated by the Kalamazoo Circuit Court. See *Kenny v Kaatz Funeral Home, Inc*, 472 Mich 929 (2005).

CAVANAGH, J., would deny leave to appeal

KELLY, J., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 9, 2005

Corbin R. Davis

Clerk